

# **Senate File 397 - Introduced**

SENATE FILE 397  
BY COMMITTEE ON VETERANS  
AFFAIRS

(SUCCESSOR TO SF 87)

## **A BILL FOR**

1 An Act creating criminal offenses for falsely claiming the  
2 receipt of certain military medals or decorations and  
3 providing penalties.  
4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 718B.1 Military medals or  
2 decorations protections — penalties.

3 1. *False claims about receipt of military decorations or*  
4 *medals.* A person shall not falsely represent, verbally or in  
5 writing, that the person was awarded any decoration or medal  
6 authorized by the United States Congress for the armed forces  
7 of the United States, any of the service medals or badges  
8 awarded to the members of such forces, the ribbon, button,  
9 or rosette of any such badge, decoration, or medal, or any  
10 colorable imitation of such item. A person violating this  
11 subsection commits a serious misdemeanor.

12      2. *Enhanced penalty for offenses involving medal of honor.*

13       a. If a decoration or medal involved in an offense  
14 under subsection 1 is a medal of honor, the violation is an  
15 aggravated misdemeanor.

16        *b.* For purposes of this subsection, the term "*medal of*  
17 *honor*" means any of the following:

18 (1) A medal of honor awarded under 10 U.S.C. § 3741, 6241,  
19 or 8741 or 14 U.S.C. § 491.

20 (2) A duplicate medal of honor issued under 10 U.S.C. §  
21 3754, 6256, or 8754 or 14 U.S.C. § 504.

22 (3) A replacement of a medal of honor provided under 10  
23 U.S.C. § 3747, 6253, or 8747 or 14 U.S.C. § 501.

24 3. *Enhanced penalty for offenses involving certain other*  
25 *medals.* If a decoration or medal involved in an offense  
26 described in subsection 1 is a distinguished-service cross  
27 awarded under 10 U.S.C. § 3742, a navy cross awarded under 10  
28 U.S.C. § 6242, an air force cross awarded under 10 U.S.C. §  
29 8742, a silver star awarded under 10 U.S.C. § 3746, 6244, or  
30 8746, a purple heart awarded under 10 U.S.C. § 1129, or any  
31 replacement or duplicate medal for such medal as authorized by  
32 law, the violation is an aggravated misdemeanor.

33 EXPLANATION

34 This bill creates a criminal offense for falsely claiming  
35 the receipt of certain military medals or decorations. Such

1 offense is a serious misdemeanor. Under Code chapter 903, a  
2 serious misdemeanor shall carry a fine of at least \$315 but not  
3 more than \$1,875. For this violation a court may also order  
4 imprisonment of not more than one year.

5 The bill creates enhanced sentences if the medal  
6 or decoration involved is the medal of honor, the  
7 distinguished-service cross, navy cross, air force cross,  
8 silver star, purple heart, or a replacement or duplicate  
9 of these medals. The bill elevates these violations to an  
10 aggravated misdemeanor. Under Code chapter 903, an aggravated  
11 misdemeanor shall carry a fine of at least \$625 but not  
12 more than \$6,250. For this violation a court may also order  
13 imprisonment of not more than two years.